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RUEHKO/AMEMBASSY TOKYO 1422
RUEHWL/AMEMBASSY WELLINGTON 2249
RUEHBJ/AMEMBASSY BEIJING 4645
RUEHNE/AMEMBASSY NEW DELHI 1524
RUEHBAD/AMCONSUL PERTH 0520
RHEHNSC/NSC WASHDC
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C O N F I D E N T I A L SECTION 01 OF 02 JAKARTA 000112

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DEPT FOR EAP, EAP/MTS, EAP/MLS, EAP/RSP, DRL/AWH

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TAGS: PGOV KJUS PHUM ID

SUBJECT: AMID NEW REVELATIONS, COURT CONTINUES REVIEW OF MUNIR CASE

REF: A. 07 JAKARTA 3461

1B. 07 JAKARTA 2869

1C. 07 JAKARTA 1223

Classified By: Pol/C Joseph Legend Novak, reasons 1.4(b+d).

11. (C) SUMMARY: In a January 15 Jakarta court hearing attended by poloff, prosecutors strengthened their case implicating the Indonesian National Intelligence Agency (BIN) in the 2004 murder of human rights activist Munir. In the meantime, the Supreme Court is continuing its review of its highly controversial ruling acquitting the main suspect in the killing. The latest testimony underscores the openness of the ongoing process and the GOI's commitment to allow the prosecution to press its case. END SUMMARY.

LATEST TESTIMONY

12. (U) The Indonesian government continues to press its inquiry into the 2004 murder of human rights activist Munir Said Thalib. In January 15 district court testimony in Jakarta attended by poloff, prosecutors connected the Indonesian National Intelligence Agency (BIN) with key murder suspect, former Garuda airlines pilot Polycarpus Budidari Prijanto, as well as with (former) senior Garuda officials.

13. (U) Budi Santoso--a BIN agent currently on assignment overseas (Ref A)--testified via an affidavit read by prosecutors that he assisted Polycarpus in drafting a letter which prosecutors assert links Polycarpus with BIN. The 2004 letter recommended that Polycarpus be placed in Garuda's "corporate security" division, an assignment that eventually allowed him to board the flight where he allegedly poisoned Munir in October 2004. According to Santoso's testimony, "the letter was addressed to Garuda's president director and provided a place for the signature of BIN's deputy chief." The letter effectively links BIN, Polycarpus, and the former Garuda officials in a conspiracy to murder Munir.

ADDITIONAL ALLEGATIONS

14. (C) There was more. The affidavit also further uncovered the relationship between senior BIN officials and Polycarpus. Santoso, for example, alleged that Muchdi Purwopranjono, a former BIN deputy director, asked him to

make multiple payments to Polycarpus in 2004 and later, even after the official investigation into Polycarpus' role began. (Note: According to our contacts, Muchdi continues to maintain close connections with BIN, but he is now retired and has no governmental position.) Santoso also alleged that Polycarpus called him numerous times, frequently asking about the whereabouts of the BIN deputy (presumably so that he could contact Muchdi). For his part, Polycarpus--who also spoke in court on January 15--categorically denied Santoso's written allegations.

¶15. (U) Human rights activists responded to the January 15 testimony by calling for Muchdi's arrest as a suspect in the murder. The Head of the Solidarity Action Committee for Munir, Kasum Asmara Nababan, said Muchdi could be indicted for perjury based on his court testimony in 2005 denying that he knew Polycarpus or had spoken with him by telephone. Nababan told the press that prosecutors must probe "with renewed dedication" Muchdi's apparent involvement in a murder plot.

SUPREME COURT IN THE MIX

¶16. (C) The Supreme Court remains a key player in this matter. The Court is awaiting completion of the Jakarta District Court hearings before ruling on its legal review of its controversial October 2006 acquittal of Polycarpus. The Court likely will not issue any ruling before March at the earliest, human rights contacts told us. Usman Hamid, a lawyer representing the Munir family, and other embassy contacts told us that Supreme Court Chief Justice Bagir Manan was personally involved in reviewing the case.

AN OPEN PROCESS

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¶17. (C) There is some concern that Santoso's testimony in the form of an affidavit could lack sufficient evidentiary weight compared to a direct witness statement (Santoso was unable to attend in person). At the same time, the airing of BIN's possible involvement in Munir's murder has been straightforward and open. This is a highly positive development and one fully supported by the Indonesian government which is pressing the case. The basic thrust of Santoso's testimony is not new. Still, Suciwati--Munir's widow who attended the session--told the press that "the involvement of state intelligence in the Munir murder case is becoming more and more obvious."

HUME